

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN A. MELLOR

v.

ATKINSON FREIGHT LINES CORP.
OF PENNSYLVANIA, t/d/b/a
ATKINSON FREIGHT LINES

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CIVIL ACTION
No. 11-5468

ORDER

AND NOW, this 12th day of April, 2012, upon consideration of defendant Atkinson Freight Lines Corp's motion to dismiss and plaintiff John A. Mellor's response in opposition to defendant's motion, it is ORDERED that the motion is GRANTED. Counts Two and Three of Plaintiff's Amended Complaint are DISMISSED. Plaintiff is permitted to file a second amended complaint on or before April 30, 2011 for purposes of alleging sufficient facts to set forth claims for sexual harassment and retaliation.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.